

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

ALBERT D. TREICHEL, CATHLEEN
L. TREICHEL,

Plaintiffs,

v.

Case Number 09-13489-BC
Honorable Thomas L. Ludington

INERGY PROPANE, LLC, EMERSON
ELECTRIC COMPANY,

Defendants.

_____ /

**ORDER FURTHER DIRECTING DEFENDANT INERGY PROPANE LLC TO
IDENTIFY THE CITIZENSHIP OF EACH OF ITS MEMBERS**

On November 17, 2009, the Court directed Defendant Inergy Propane LLC to identify the citizenship of each of its members to satisfy itself that diversity jurisdiction exists in this matter. *See Homfeld II, L.L.C. v. Comair Holdings, Inc.*, 53 F. App'x 731, 732-33 (6th Cir. 2002) (explaining that a limited liability company's citizenship is derived from the citizenship of each of its members). On December 1, 2009, Defendant responded to the Court [Dkt. # 14] and represented that it was a wholly owned subsidiary of Inergy, LP, which is organized under Delaware law with its principal place of business in Missouri. However, this information is not sufficient for the Court to determine whether diversity jurisdiction exists because it does not properly identify the citizenship of Inergy LP. The citizenship of a limited partnership is not determined by the state of organization and principal place of business, but rather by the citizenship of each of its partners. *Carden v. Arkoma Assocs.*, 494 U.S. 185 (1990). Thus, the Court will direct Defendant to identify the citizenship of each of Inergy LP's partners.

Accordingly, it is **ORDERED** that Defendant Inergy Propane LLC is **DIRECTED** to identify the citizenship of each of its members, by identifying the citizenship of each of Inergy LP's partners, in writing on or before **December 11, 2009**.

s/Thomas L. Ludington
THOMAS L. LUDINGTON
United States District Judge

Dated: December 2, 2009

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on December 2, 2009.

s/Tracy A. Jacobs
TRACY A. JACOBS